

STATE OF ILLINOIS
SECRETARY OF STATE
SECURITIES DEPARTMENT

IN THE MATTER OF: DAVID KASTNER

File No. 0900370

ORDER OF PROHIBITION

TO THE RESPONDENT:

David Kastner
c/o Groupe 369 Corp.
2021 Midwest Road, Suite 200
Oak Brook, Illinois 60523

David Kastner
834 North Dryden Avenue
Arlington Heights, Illinois 60004

WHEREAS, a Temporary Order of Prohibition was issued by the Secretary of State on February 23, 2010 which prohibited David Alan Kastner ("Respondent") from offering or selling securities in or from the State of Illinois until further order of the Secretary of State or his duly authorized representative;

WHEREAS, pursuant to section 15-55(e) Illinois Loan Brokers Act of 1955 [815 ILCS 175/15-1] (the "Act"), the failure to request a hearing within thirty (30) calendar days of the entry of the Temporary Order shall constitute an admission of any acts alleged therein and constitute a sufficient basis to make the Temporary Order final;

WHEREAS, the Respondent has failed to request a hearing on the matters contained in the Temporary Order within thirty (30) calendar days of the entry of said Temporary Order and the Respondent is hereby deemed to have admitted the facts alleged in the Temporary Order;

WHEREAS, the Secretary of State, by and through his duly authorized representative, has adopted the Findings of Fact contained in the Temporary Order as the Secretary of State's Findings of fact as follows:

1. That Groupe 369 Corp., ("369") an Illinois corporation not in good standing, has its principal address at 2021 Midwest Road, Suite 200, Oak Brook, Illinois 60523.
2. That David Alan Kastner, ("Respondent"), President of Groupe 369, Corp., is an individual who maintains a residence address at 834 North Dryden Avenue, Arlington Heights, Illinois 60004.

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3. That during November 2008, Respondent, by means of his 369 offered to procure loans via the internet at <http://www.groupe369.com> (the "Ad"), which was viewed by at least one Borrower ("Borrower").
4. That Borrower responded to the Ad and was then in contact with 369. Borrower filled out an application and Respondent as 369's representative communicated proposals and loan terms culminating in a letter of intent which required Borrower to make an advance good faith deposit in the amount of Twenty-Eight Thousand Dollars (\$28,000.00). And the Borrower was told he could then receive a loan amount up to One Million Two-Hundred Thousand Dollars (\$1,200,000.00).
5. That on November 26, 2008, Borrower remitted the sum of Twenty-Eight Thousand Dollars (\$28,000.00) via bank wire to the Respondent's 369 Corporation account.
6. That Borrower never received a loan or the return of his advance good faith deposit from the Respondent.
7. That the activities referenced at paragraphs 3 through 6 are the activities of a "Loan Broker" as that term is defined pursuant to Section 15-5.15. Of the Illinois Loan Brokers Act of 1995 [815 ILCS 175/15-1 et seq.] (The "Act").
8. That Section 15-10 of the Act provides, inter alia, that it shall be unlawful for any person to engage in the business of loan brokering unless registered under the Act.
9. That Section 15-85(b) of the Act provides, inter alia, that it is prohibited under the Act for a loan broker to either directly or indirectly act as a loan broker without registration under the Act unless exempt under the Act.
10. That at all times relevant hereto, Respondent David Alan Kastner failed to file an application for registration as a loan broker with the Secretary of State prior to the aforementioned loan offer in the State of Illinois.
11. That by virtue of the foregoing, Respondent David Alan Kastner violated Section 15-10 and/or 15-85(b) of the Act.

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12. That Section 15-55(c) and (d) of the Act provides, inter alia, that if the Secretary of State shall find any person is acting or has acted as a loan broker as defined in Section 15-5.15 of this Act, without prior thereto or at the time thereof having complied with the registration requirements of the Act, the Secretary of State may by written order prohibit such person from acting as a loan broker in the State.

NOW THEREFORE IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Sections 15-55(c) and 15-55(d) of the Act, David Alan Kastner, is hereby **PROHIBITED** from engaging in the business of loan brokering in the State of Illinois until further order of the Secretary of State.

NOTICE: Failure to comply with the terms of this Order shall be a violation of Section 15-65 of the ACT. Any person who willfully this act commits a class 4 felony.

This is a final order subject to administrative review pursuant to the Administrative Review Law [735 ILCS 5/3-101 *et seq.*] and the Rules and Regulations of the Act (14 Ill. Admin. Code, Ch. 1 Sec. 130.1123). Any action for judicial review must be commenced within thirty-five (35) days from the date a copy of this Order is served upon the party seeking review.

ENTERED: This 26th day of March 2010.



JESSE WHITE
Secretary of State
State of Illinois

Attorney for the Secretary of State:

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